1937

Department of L/R and Ptt

OFFICE of the Board of Rev.

STATION Madras

No.	1973
Dated	21-6-37

F 5014/37

C&P DESPATCHED 25 JUN 1937 A D

Pages in the file

(SUBJECT.)

Public Servant — T.S.R. (T.R.S.) Venkatraman and — (Sivalla Kamara) — Ex Sett Clerk and clerk Coll's office — Date of completion of Probation — Orders passed — Go. communicated.

Ref.5686-A2-36.

South Kanara Collector's Office,

Mangalore, dated 15 - 11 - 1936.

From

A. D. Crombie, Esquire, C.I.E., I.C.S.,

Collector of South Kanara.

To

The Secretary,

Board of Revenue,

Madras.

Sir,

Public services - Madras Ministerial service - officiating clerks appointed to the service before 2-7-1929 -period of probation.

In rule 8 (c) of the revised General Rules for ------ subordinate services, it is laid down that any person appointed to a service before 2-7-1929 shall be entitled to count towards his probation the continuous period of duty performed by him up to that date as well as the period or periods of duty performed subsequent to that date provided he was on duty on 2-7-1929 or was absent from duty on that date on leave granted by a competent authority. A question has arisen whether the leave availed of by a person before 2-7-1929 operates as an interruption in his ----- continuous period of duty for the purpose of the rule quoted above. The rule is not clear on this point, though from a liberal ------- interpretation of it, I should think that it does not. I have now a case before me wherein the candidate (T.S.R. Venkataraman) was first appointed as a temporary clerk in the Settlement Party on 28-4-1924 and continued in service in that party till -------- 31-7-1935. He was, however, on leave on average pay from 1-11-26 to 15-11-26 and again from 1-5-1929 to 30-6-1929 granted by a competent authority. If the leave availed of by him prior to 2-7-1929 is to be taken as an interruption in his duty, then he is to be considered to have completed his probation only on 1-7-30 as his continuous period of duty counts only from 1-7-1929 i.e. the date on which he rejoined duty after leave; otherwise his date of completion of probation has to be fixed as 28-5-1925. I

request Board's orders in the matter.

2. The candidate's service register is submitted herewith for reference and return.

16.11.36

For Collector.

16.XI.36

3

Public services — Madras Ministerial — Ex-selection Grade S. Kanara Circle Office service — T.S.R. Venkatraman — Date of completion of Probation — Instructions — Solicited

HR 1-2 cf

=5014/36—A.

Ref. F.No. 5014/36-1

Submitted to Govt. for orders.

Vide (A)

According to rule 8(c) of the revised General Rules, the claim can be considered to have completed his probation only on 1-7-30. The Board considers that this is anomalous, as a man who happens to be on authorised leave on 2-7-29 can have his previous continuous service taken into account for purposes of probation while a man who returns to duty from leave a day or two earlier will forgo his service before the leave for the same purpose.

This case do. Put up a self contained despatch enclosing the Minutes of the Meeting

10/12/36

To the Secy to Govt- Rly
with the Service regs of the CB&S

MS
5/12
AM
8/12

Public Services – Madras Ministerial Services – officiating clerk appointed to the service before 2-7-29 – Period of Probation of Venkatraman (T.S.R) – Ex Settlement clerk Collectorate S. Kanara – Date of completion of Probation – orders solicited

RECEIVED
27 DEC 1936

F 5014/36 — Q

Refee. F. 5014/36-1 dated 14-12-36

In rule 8(c) of the revised General Rules for subordinate services it is laid down that any person appointed to a service before 2-7-29 shall be entitled to count towards his probation the continuous period of duty performed by him up to that date as well as the period or periods of duty performed subsequent to that date provided he was on duty on 2-7-29 or was absent from duty on that date on leave granted by a competent authority. A question arises as to whether the leave availed of by a person before 2-7-29 operates as interruption of duty for the purpose of rule 8(c) of the revised General Rules. The case of S. Kanara instances

Vide (A)
Table on p 14 of General Rules and Rules Regarding Pay in Service Manual Vol II.

AI to Govt 16/3/37 16.3.37

Case of an ex-sub clerk T.S.R. Venkatramanan ff 1-2 cf
who was first appointed in Rev. Sett Party No IV
on 28.4.24 A.R. as a temporary clerk and who
continued in the Party till 31-7-35, without
any break in service, when he was discharged
due to reduction of temporary establishment. vide pp. 4-5 of Service Regr
He was however on leave on average pay
from 1-11-26 to 15-11-26 and from 1-5-29 to 30-6-29 ff cf Rahmadu —
granted by a competent authority. The collr. states that
this leave before 2-7-29 is treated
interruption in his duty, when he can be
said to have completed his period
of probation only on 1-7-30 as his
continuous period of duty after leave counts only
from 1-7-29 the date on which he rejoined
duty after leave and that otherwise
the clerk may be considered to have
completed his period of probation on
28-4-25, one year after he entered service.
In G.O. No. 78 Pub. Services dated 10-1-36
the period of probation is prescribed
as one year on duty in the case of persons
appointed to the services on or before
30th Sep. 1934, and according to this
G.O. the clerk may be considered to
have completed his period of probation
on 28-4-25 before he took leave on
1-11-26. In this connection the Board

39 y (P)
No 1425
27.4.36

also invites the attention
of their Memo. No. 858 F./36-2 dated
17-4-36, wherein they have stated
that Clerk Sabesa Ayyar should
should be deemed to have completed
probation on 21-2-1919, one year after
he entered service (ie on 22-2-1918)
In the circumstances the Board
requests to be informed whether
the date of completion of probation of
the Clerk may be considered the
completed his period of probation
fixed as 27.4.25 after one year or whether he joined service
on as 30-6-30 (ie) one year after he return
from leave.

Ho
19/12

to the Secy. to Govt R.D.
with the Service reg. of the clerk.
and Section

hg
11/12/36.
hb
11/12
19/12

BOARD OF REVENUE
18 JAN 1937

Ref.5686-A2-36.

9 W.P. 443 F 416

South Kanara Collector's office,
Mangalore, dated 15 - 1 - 1937.

From

A. D. Crombie, Esquire, C.I.E., I.C.S.,
Collector of South Kanara.

To

The Secretary,
Board of Revenue,
M a d r a s.

Sir,

Public services - Madras Ministerial service -officiating clerks appointed to the service before 2-7-29 -period of probation

R 1-2-37 Ref: My letter Ref. 5686-A2-36 dated 15-11-36.

I invite your attention to my letter referred to above and request orders in the matter.

16.1.37

For Collector.

16.1.37

Public services - Madras Min-
isterial Services - officiating clerks
appointed to the service before
1-7-29 - Date of completion of Probation
Fixation.

As (Sett)

F 410/37 - A

Ref. F. 5014/36-2 dated 22-1-37

The Collr. is informed
that the matter has been referred
to Govt. and that their orders are
awaited.

22/1/37

vide ff. 5-7 of

To the Collr. of South Kanara

20/1/37

1 Store

22/1

Revenue Department. C.F. 98.

I REMINDER. Bd of Revd & Sett Branch. REPLY.

To The Secy to Govt Rev. Dept. To The Board of Revenue

~~have the honour to be~~
directed to invite attention to

B's Rep. F No. 5014/36-1, dated 14-12-36 and

to request that the reply to it may be expedited
order on
request that this reminder may be returned at once ~~with~~ information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, and

(3) the circumstances which have caused the delay.

Office of the Bd of Rev & Sett Signature. K Narayana 16/3/37

Station Madras Assistant Secretary
Designation

Dated 15-3-37

SUBJECT. Bd & Sett

Public Services – Madras Ministe — — — Offici
ting class appointed to the Service before 2-7-29 –
Period of Probation – Venkatramanan (T.S.R.) – Exsett
class + class cadre Office SKamara – Date of completion
of Probation – orders forwarded

T.A. (Sett.)
Files The matter may be
reminded again if necessa
on 15-6-37

22/3/37 23/3

29 MAR 1937

The matter is unde
consideration
15/3
Secy to Govt
Rev. Dept.
18-3-37

F1646/1 5014/36.

Ref.5686-A2-36.

South Kanara Collector's Office,

Mangalore, dated 31st March 1937.

BOARD OF REVENUE
8 APR 1937

From

T. A. Varghese, Esquire, I.C.S.,
Ag. Collector of South Kanara.

To

The Secretary,
Board of Revenue,
Madras.

Sir,

Public Services - Madras Ministerial Service - Officiating Clerks appointed to the service before 2.7.29 - period of probation.

Ref:- Board's Ref. F.No.5014/36-2 dated 22-1-37.

I invite your attention to my letter Ref.C.No.5686-A2-36 dated 15.11.36 and request orders in the matter.

1.4.37
For Collector.

1.4.37

F1646/36 -Q.

Subject as above.

Ref:- F. No. 5014/36-3 dated 6.4.37

The Collr. is informed that the matter is under the consideration of Govt. and that their orders are awaited.

12/4/37

5/4

To the Collr of South Kanara.

(Sectt. II-15 (a)—40,000—14-10-36.

Received ..... 193 *Registered* 193

Abstract.

Venkataraman, T.S.R. - (South Kanara) - Ex. Settlement clerk and clerk, Collector's office - Date of completion of probation - Orders passed.

Revenue DEPARTMENT.

G.O. No. MS: 1183 ~~1885~~, dated the 10th June 193'

ENCLOSURES.

No. 1

READ the following paper :—

From the Board of Revenue, Land Revenue and Settlement, Ref.No. F-5014/36-1, dated the 14th Decembe- 1936.

*****

O R D E R.

The attention of the Board of Revenue is invited to the amendments to the general rules for the subordinate services issued in G.O.No.691 Public (Services), dated the 5th April 1937. Under sub-rule (c) of rule 17 as it stands at present, a clerk who was on duty on 19th June 1931, the date of the issue of the Madras Ministerial Service rules, or who was absent from duty in such post on that date on leave granted by a competent authority having been on duty in such post immediately before and immediately after such absence, will be regarded as a probationer or approved probationer as the case may be, and he can count towards probation all periods of duty in the post of clerk before the issue of the special rules for the Madras Ministerial Service. Clerk T.S.R. Venkataraman, mentioned in the reference from the Board of Revenue read above, who was on duty on 19th June 1931 can therefore count all periods of duty before that

that date for purposes of probation. In view of the orders contained in G.O.No. 78 Public (Services) dated 10th January 1936, he should be deemed to have completed his probation on 27th April 1925.

(By Order of His Excellency the Governor)

K. Ramunni Menon,
Secretary to Government.

To the Board of Revenue, Land Revenue and Settlement
(with Service Book returned)

Copy to the Public (Services) Department.

*****

(True Copy)

F O R W A R D E D.

(By Order)

A Ramanatha Ayyar 11.6.37

Superintendent.

V:K/10-6.

11

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ...		
When copied ...		
When examined ...	24/6/37	
When signed ...		
When despatched.		

SUBJECT :— Public servant – T.S.R Venkatra man – (South Kanara) – Ex selt clerk and clerk cells office – Date of completion of Probation – orders passed – G.O Communicated

READ AGAIN ..... , dated ..... 19 .....

" " ..... " ..... 19 .....

READ *ALSO* :—

No. F5074/37 From the Coll/South Kanara No. Ref 5888/A2-36 dated 15.11.36

" F2888/37 " Govt No 838 Rev " 7.6.37 A

" ..... " ..... " ..... " ..... 19 .....

~~Order~~ Resolution ~~Nos.~~ No. 1973, dated 21-6- 1937.

– Communicated to the Coll. of South Kanara with refce to his letter read above.

The service reg. of the clerk is herewith returned

To the Coll of South Kanara with a service c.r.

by 17/6/37

Copy to block file of Dec.

No. 102

Rs. As.

Date-stamp

Received a [illegible]

addressed to

Initials of Receiving Officer

Postage for [illegible]

Weight (in words)

Rates

Tolas

Mis 1923

To Supdt F Section

Leave taken by a Govt servant constitutes a break in duty though not in service Consequently any period of leave taken before 2-7-29 has the effect of making useless for the purpose of counting towards probation the period or periods of duty performed before that leave. In this view the clerk cited by the Collr. ~~completes his~~ counts service for probation only from 1-7-29 Please modify the note on these lines as there is an office order ~~that officers should not be~~ that officers should not be led astray by the expression of divergent views on matters which admit of no doubt

At this

is not possible please
send the file direct—
without ~~ref~~ reference to
Direction

MS
27/4

Cy
27/4

Public Services – Madras Ministerial Service – (T.S.R.) Venkatraman – Ex Settlers and acting clerk ~~in the~~ Collr's office – Velloy – Date of ~~Re~~ confirmation of Probat

AS (Sett)
Hon. Board's Proceedings

F 5014/36

To AS (Sett)

Please see the letter from the Collr of South Kanara at ff 1-2 of

2. The point now for consideration is whether the leave availed of by a person before 2-7-29 operates as an interruption in his continuous service ~~for~~ for the purpose of Rule 8(C) of the revised general rules for subordinate services. The Collr of South Kanara instances the case of one Ex Sett. clerk T S R Venkatraman ~~was~~ who is now an acting clerk in the Collr's office ~~and~~ and requests to be informed ~~whether~~ whether the clerk may be said to have completed the period of probation.

The clerk entered Rev. Sett Party No. 1½ on 28-4-24 A.N. and as a temporary clerk and held continuous service till 31-7-

when he was discharged due to reduction of establishment. He was however, on leave on average pay from 1-11-26 to 15-11-26 and 1-5-29 to 30-6-29. granted by competent authority. The Govt. of Madras that if the leave availed of by the Clerk prior to 2-7-29 is to be taken as an interruption in his duty, then the Clerk Can be said to have completed his period of probation only on 1-7-30 as no continuous period of duty counts only from 1-7-29, the date on which he resumed duty after leave and that, otherwise his date of completion of probation has to be fixed as 28-4-25. According to G.O. No. 78 (P.S) dated 10-1-36, the clerk completed his period of probation (of one year on duty) on 28-4-1925 and he took leave on 1-11-26 only after the date of the completion of probation. Further according to C.S.R. 420 (H) this G.O. furnishes only the total period of service required for completion of probation but it cannot override the provision of sub 8(c) of the general rules.

(H) It will be a break in duty as defined on p. 3 of C.S.R. M.S.M. Vol III Bk. 58.

authorised leave of absence with pay does not constitute break in service, ~~so that the candidate is to begin his probation afresh~~ It does not therefore appear that the period leave taken by the clerk in 1926 and 1929 will affect the date of his completion of probation. In the circumstances it is for orders whether the order may

be informed that as the clerk had ~~completed his one~~ one year's continuous duty on 28.4.25 he may be said to have completed his period of probation on that date, or whether the SSO No III Party or the Clerk in question may first be consulted before

X circulated to AS Scott on 1.12.26 after DSO.

4/11/26 According to the rule of the Service the Clerk in question is to have completed one year's probation only on 1/5/26. This is the double increment case. Mr. Allen Hopkinson has on archives leave on 3/7/1926 can have his previous continuous service taken into account for purposes of probation which is due to expire on the 30th inst. and the question is whether Mr. Allen can have a fresh probationary period from his return from leave or from the date of the Secretary's letter. The point is, I think, whether such increments if it is considered necessary should be determined

I have ascertained this is
the first time this Rule
of the Board has come up
for interpretation.

Lewis accept Adj's interpretation
though the consequences are fantastical

The trouble lies in the phrase
"continuous period of duty" for purposes
up to 2nd July 1929.

If, as in the present case
man returns to duty on 1st July,
1929 this can only equal one day.
If he had returned on 3rd July
his continuous period of duty
would have counted from 15.11.26.

Civil may be addressed.

R. 3/12.

Post Office
4-DEC 1929

To AS(Gen)

AS(Gen)

Draft Submitted

24. As orally advised by AS (Gen)
the D. Sec. does not consider
that the applicability of

[illegible]

FO Ab (Secy)

Revised draft submitted as ordered

11/12/36

[illegible]

[illegible] dt 14.12.36.

FD 8/37

FO Ab (Secy)

Please see the Ab's reference at flag S-7 ante and the Go thereon at flag 15-16 ante.

The G.O. may be communicated to the Collector and District Magistrate Kanara for information.

Keep a copy of it in the file

[illegible]